



**Washington State Board of Optometry
Minutes of Meeting**

A meeting of the Washington State Board of Optometry was called to order at 9:00 a.m. on Friday, March 7, 2008, by Mariann Tonder, O.D., Chair. The meeting was held at the Washington State Department of Health, Kent facility, 20435 72nd S, Second Floor, Conference Room 2, Kent, WA 98032.

BOARD MEMBERS

PRESENT:

Mariann Tonder, O.D., Chair
Mary Lou Staples, Public Member
Laura Toepfer, O.D.
Grant Lindberg, O.D.
Thomas Riley, O.D.
Robert Gander, O.D.

STAFF PRESENT:

Gail Yu, Assistant Attorney General
Judy Haenke, Acting Executive Director
Janette Benham, Program Manager

OTHERS PRESENT:

James Grimes, O.D.

ORDER OF AGENDA

OPEN SESSION:

9:00 a.m. Call to Order

1. Approval of Agenda
The agenda was approved with the addition of 6.3, 6.4, and 6.5 under Correspondence.
2. Approval of Minutes of December 7, 2007, meeting
The minutes of the December 7, 2007, meeting were approved as written.

9:10 a.m. REPORTS

3. Mariann Tonder, O.D., Chair
Dr. Tonder reported that the next board meeting originally scheduled for June 13, 2008, needed to be changed to coincide with the annual ARBO meeting in Seattle. After discussion, the board decided to reschedule the meeting. The

meeting will be in Seattle on June 24, from 6- 9 p.m. The location will be determined at a later date.

4. Judy Haenke, Acting Executive Director

Ms. Haenke reported on the following:

- Pending legislation update:
HB 1103 requires fingerprint based background checks, and gives the secretary authority over cases involving sexual misconduct unless there is also a standard of care issue. It also creates a pilot project for the medical and nursing commissions.

SHB2218 increases the penalty for violating the Open Public Meetings Act

- The Spring Leadership Forum is May 8, 2008, in Seattle. Board and Commission Chairs and Vice-chairs are invited to attend.

5. Janette Benham, Program Manager

Ms. Benham reported on the following:

- Optometry Day at the Capitol was January 31, 2008. Laurie Jenkins, Assistant Secretary of the Department of Health gave a presentation on the department's reorganization.
- Ms. Benham provided an update on recruitment efforts to fill two board positions.

10:00 a.m.

6.0 Correspondence

- 6.1 The board reviewed a request for certification to use oral medications. After review and discussion, the board decided that based on the standards of education for Washington, the documented training provided by the licensee is not substantially equivalent. The request was denied.
- 6.2 The board reviewed a letter from an optometrist requesting clarification regarding selling glasses over the internet, filling out-of-state prescriptions, and taxing of glasses sold over the internet. The optometrist wanted to set up a website to sell specialty prescription sunglasses and diving masks. The board decided that from the information provided, the optometrist doesn't appear to be breaking any optometry laws. The board could not comment on business practice and tax laws.
- 6.3 The board reviewed a request regarding teleconference CE credits. The optometrist wanted clarification on where a teleconference CE would fit in the categories of optometry CE. The board determined this type of CE would fall under self-study education activities.
- 6.4 A request was received from California Optometric Association for approval to receive a list of licensed optometrists in Washington. The board decided to approve this request.
- 6.5 The board reviewed a request to allow more credit for practice management. The board decided that not to revise the current continuing education requirement that allows up to 10 hours of practice management in a reporting period.

7.0 Continuing Education

The board reviewed the following courses for continuing education approval:

- *47th Annual Contact Lens and Primary Care Congress* was approved for 54 hours total CE, 6 of which was practice management.
- *Co management of the Multifocal IOL Patient* was approved for 3 hours CE.
- *VA Image Review, Recommended Guidelines* was approved for 6 hours CE.
- *Neurology for Primary Care* was approved for 7 hours CE.
- *Posttraumatic Stress Disorder* was approved for 1 hour CE.
- *Descemet's Stripping Endothelial Keratoplasty* was approved for 1 hour CE.
- *2008 Spring Ophthalmology Update* was approved for 4 hours CE.
- *VOSH Mission to Gomez Palacio, Mexico* was not approved for CE. If it is resubmitted with written documentation of small group study and/or case reports of publishable quality the board would reconsider.
- *Observation of optometric surgeries* was not approved for CE.
- *Therapeutic Indications for Contact Lenses in a VA Setting* was approved for 1 hour CE.
- *Optical Coherence Tomography* was approved for 4.5 hours CE.
- *Northwest Ocular Pathology Winter Conference* was approved for 3 hours CE.
- *Co management at its Finest and Case Presentations in Retina and Plastics* was approved for 3 hours CE.
- *Retinal Update* was approved for 1 hour CE.
- *Article reviews and written reports* were approved for 4 hours CE.
- *UW Mini Medical School Teleconference* was approved for 2 hours CE.
- *Whatcom OD Study Group* was approved for 1 hour CE.
- *Refractive Surgery Options: Toric Intraocular Lens; Crystalens; multi-focal IOLs and the Post-op Patient; Refractive lensectomy; LASIK* was approved for 2 hours CE.

11:00 a.m.

8. Mandatory Reporting Rules

The Department of Health filed the CR-102 for proposed mandatory reporting rules. The hearing will be March 12, 2008, at 9:00 a.m., at the Department of Health, Point Plaza East, in Tumwater, Washington. Gail Yu, Assistant Attorney General, gave an update on the rules. The rules require individual license holders to self report, and they require license holders to report other license holders who have committed unprofessional conduct or are unable to practice with reasonable skill and safety. These rules protect the public by assuring information of unprofessional conduct and inability to practice safely reach the disciplining authorities. The board discussed and reviewed the rules and decided not to forward any additional comment for the hearing.

9. Review of procedure 205: initial Assessment and Case Disposition Decisions.

The Board discussed the procedure and the need to consider prior discipline and complaints in disciplinary cases. The procedure provides form 205A that program staff will prepare when the board determines what step to take (close or

authorize investigation). The board must then consider prior discipline and complaints. Program Staff will then prepare form 205B, Case Disposition Worksheet, which will provide guidance on how to proceed. All case disposition decisions are then recorded on form 205B. This procedure is intended to prove criteria for consistent, fair and uniform decisions and disposition of reports and complaints.

After discussion, the Board agreed to use the new forms

10. Update on ARBO Annual Meeting – June 22-24, 2008

The board discussed the ARBO annual meeting which will be in Seattle June 22-24, 2008. Dr. Mariann Tonder will give the opening address on Sunday, June 22, 2008, and will be the voting delegate for the meeting. Judy Haenke, Janette Benham, Dr. Thomas Riley, and Mary Lou Staples will also be attending.

11. Review and Discussion of Jurisprudence Exam

The board reviewed and updated the jurisprudence exam, which is part of the licensing application. After review the board discussed moving the exam from a written format to an online format using the Department of Health's SmartPh program. The board determined they would like to move the exam to SmartPh, as long as it could still be made available in written format at the request of the applicant.

LUNCH: 12:00 p.m. to 1:00 p.m.

11. 43rd Annual Postgraduate Seminar Update

The Board discussed final seminar arrangements for the annual postgraduate seminar at the University of Washington March 8-9, 2008.

12. Open Forum

No comments from the audience.

12:30 p.m. CLOSED SESSION

13. Other Closed Session Business

14. Review of License Applications

15. Disciplinary Case Review

The meeting was adjourned at 2:45 p.m.

APPROVED: _____
Mariann Tonder, O.D., Chair